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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF,

Debtor.

DIANE and ROGER PESKIN, and
MAUREEN EBEL,

Plaintiffs,

v.

IRVING H. PICARD, as Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Defendant.

SIPA Liquidation

No. 08-1789 (BRL)

Adv. Pro. No. 09-1272 (BRL)

NOTICE OF APPEAL

Diane and Roger Peskin and Maureen Ebel (“Appellants”), by their attorneys, Phillips Nizer LLP, appeal under 28 U.S.C. § 158(a) from the Memorandum Decision and Order of the Honorable Burton R. Lifland, titled “Memorandum Decision And Order Granting Trustee’s Motion To Dismiss Plaintiffs’ Complaint,” entered in this Adversary Proceeding on the 10th day of September 2009, and “Errata Order” entered in this Adversary Proceeding on the 11th day of September 2009.

The names of all parties to the order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

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Dated: September 18, 2009

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